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COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-eighth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

Concluding observations of the Committee on the Rights of the Child: Cameroon

1. The Committee considered the initial report of Cameroon (CRC/C/28/Add.16), received on 4 April 2000, at its 737th and 738th meetings (see CRC/C/SR.737-738), held on 4 October 2001 and adopted[1] the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the State party's initial report, which followed the established guidelines. The Committee also takes note of the timely submission of the written replies to its list of issues (CRC/C/Q/CAM/1), which allowed for a clearer understanding of the situation of children in the State party. The Committee also notes the constructive, open and frank dialogue it had with the delegation of the State party. The Committee acknowledges that the presence of a high-ranking delegation directly involved in the implementation of the Convention allowed for a fuller assessment of the rights of children in the State party.

[1] At the 749th meeting, held on 12 October 2001.

B. Positive aspects

3. The Committee welcomes the adoption of:

(a) The Act on Education Guidelines (Act 98/004);

(b) The Act containing the Health Framework Law (Act 96/03);

(c) The Act on the Control of Narcotic Drugs, Psychotropic Substances and Precursors and on Extradition and Judicial Assistance in connection with Trafficking in Children, Psychotropic Substances and Precursors (Act 97/019);

(d) The Finance Act 2000/08 incorporating the principle of free primary education at public schools;

(e) The Decree providing for the Organization and Operation of Early Childhood Facilities (2001/110/PM).

4. The Committee also welcomes the ratification of ILO Convention No. 138 concerning Minimum Age for Admission to Employment by a decree of 17 April 2001.

5. The Committee welcomes the establishment, in 1998, of the Children's Parliament.

6. The Committee notes with satisfaction that the State party is party to all six United Nations human rights treaties and the African Charter on the Rights and Welfare of the Child.

7. The Committee appreciates the actions undertaken by the State party to ameliorate the situation of refugee children.

C. Factors and difficulties impeding the implementation of the Convention

8. The Committee acknowledges that the economic and social difficulties facing the State party have had a negative impact on the situation of children and have impeded the full implementation of the Convention. In particular, the fact that the State party is composed of 230 ethnic tribes with different languages, the legal dual system (civil and common law), the coexistence of customary law and statutory law, traditional practices not conducive to children's rights and the high rate of illiteracy affect the full implementation of the Convention. The remoteness and inaccessibility of some areas, as well the disparity in their development, also affect the full implementation of the Convention.

D. Principal subjects of concern and recommendations

D.1. General measures of implementation

Legislation

9. The Committee notes the process begun by the State party to harmonize existing legislation with the Convention, but it remains concerned that the domestic legislation, including customary law, is very fragmented and partly unsuitable, outdated and not in conformity with the Convention, and at the continued existence of customs and traditions which impede children fully enjoying their rights.

10. **The Committee encourages the State party to take all necessary measures to ensure that its domestic legislation conforms fully to the principles and provisions of the Convention on the Rights of the Child. In that respect, the Committee recommends that the State party:**

(a) Take steps, using a rights-based approach, to harmonize existing legislation, including customary law, with the Convention;

(b) Consider the adoption of a comprehensive children's code, reflecting the general principles of the Convention on the Rights of the Child;

(c) Adopt a comprehensive family code.

Coordination

11. While the Committee notes that the Ministry of Social Affairs, and more particularly its Departments for the Well-being of Families and Children and for Solidarity, is in charge of the coordination of governmental action on questions relating to children, it is concerned at the lack of an inter-institutional mechanism responsible for coordination at the national level, and particularly at the local level, of the promotion and implementation of the Convention. It is also concerned that there is no comprehensive strategy for the implementation of the various plans of action relevant to the rights of children.

12. **The Committee recommends that the State party take all necessary measures to allocate principal responsibility for coordinating implementation of the Convention to a single body or mechanism. For this purpose, the Committee also recommends that adequate human and financial resources be allocated and appropriate measures be taken to include NGOs.**

Independent/monitoring structures

13. The Committee takes note of Decree No. 90/1549 of 8 November 1990 establishing a National Committee on Human Rights and Freedoms. However, the Committee is concerned at the lack of an independent mechanism to monitor and evaluate effectively progress in the implementation of the Convention, and empowered to receive and address complaints.

14. **The Committee recommends that the State party:**

(a) Consider establishing an independent national human rights institution in accordance with the Paris Principles relating to the status of national institutions (General Assembly resolution 48/134, annex), to monitor and evaluate progress in the implementation of the Convention at the national and local levels. This institution should be accessible to children and be empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner and to address them effectively;

(b) Continue efforts to develop good governance strategy and to combat corruption, especially in the social sector;

(c) Seek technical assistance from, inter alia, the Office of the High Commissioner for Human Rights and UNICEF.

Resources for children

15. While noting the State party's priority of increasing the budget allocated to education, the Committee expresses its concern at the decrease in government spending and its adverse impact on the funding of social services for children in particular. The Committee is also concerned that insufficient attention has been paid to article 4 of the Convention regarding the implementation to the "maximum extent of ... available resources" of economic, social and cultural rights of children.

16. **While recognizing the difficult economic conditions, the Committee recommends that the State party:**

(a) Make every effort to increase the proportion of the budget allocated to the realization of children's rights and, in this context, to ensure the provision of appropriate human resources and to guarantee that the implementation of policies relating to children are a priority;

(b) Develop ways to establish systematic assessment of the impact of budgetary allocations on the implementation of children's rights, and to collect and disseminate information in this regard.

Data collection

17. While welcoming the publication of the indicators for children and women by the Department of Statistics and National Accounts, the Committee is concerned at the lack of systematic and comprehensive collection of disaggregated data for all areas covered by the Convention and in relation to all groups of children in order to monitor and evaluate progress achieved and assess the impact of policies adopted with respect to children.

18. **The Committee recommends that the State party:**

(a) Develop a system of data collection and indicators consistent with the Convention, disaggregated by gender, age, indigenous and minority groups, and urban and rural areas. This system should cover all children up to the age of 18 years, with specific emphasis on those who are particularly vulnerable, including children victims of abuse, neglect or ill-treatment; children with disabilities; children belonging to marginalized groups, such as Pygmy, Bororos and Mafa children; and other children in need of special protection (see D.8);

(b) Use these indicators and data for the formulation and evaluation of policies and programmes for the effective implementation of the Convention.

Cooperation with civil society

19. Taking note of the Act on Non-Governmental Organizations (Act 99/014), the Committee is concerned that insufficient efforts have been made to implement this legislation and to involve civil society in the implementation of the Convention, particularly in the area of civil rights and freedoms.

20. **The Committee recommends that the State party:**

(a) Systematically involve communities and civil society, including children's associations, throughout all stages of the implementation of the Convention, including legislation procedure and formulation of policies and programmes and including with respect to civil rights and freedoms;

(b) Ensure that legislation regulating NGOs is fully implemented.

Dissemination of training on the Convention

21. While aware of the measures undertaken to promote widespread awareness of the principles and provisions of the Convention (e.g. through radio programmes, seminars and workshops), the Committee is of the opinion that these measures need to be strengthened and systematized. In this respect, the Committee is concerned at the lack of a systematic plan to introduce training and awareness among professional groups working for and with children.

22. **The Committee recommends that the State party:**

(a) Strengthen its efforts to disseminate the principles and provisions of the Convention as a measure to sensitize society about children's rights through social mobilization;

(b) Translate the Convention into the major written national languages to achieve its widespread dissemination;

(c) Systematically involve community leaders in its programmes in order to fight against customs and traditions which impede the implementation of the Convention, and adopt creative communication measures for illiterate people;

(d) Provide systematic education and training on the provisions of the Convention for all professional groups working for and with children, in particular parliamentarians, judges, lawyers, law enforcement officials, civil servants, municipal and local workers, personnel working in institutions and places of detention for children, teachers, health personnel, including psychologists, and social workers;

(e) Strengthen the focus on children's rights in the educational and advocacy role of the National Committee for Human Rights and Freedoms;

(f) Introduce human rights education, including the rights of the child, into the school curricula;

(g) Seek technical assistance from, inter alia, the Office of the High Commissioner for Human Rights and UNICEF.

D.2. Definition of the Child

23. The Committee is concerned at the difference between the minimum legal ages for marriage of boys (18 years) and that of girls (15 years), which is gender discriminatory and allows for the practice of early marriage, which is still widespread. The Committee is further concerned that the minimum and upper age limits have not been set for compulsory education, that a child below the age of 18 years may be recruited into the armed forces with parental consent and at the lack of a minimum age for medical counselling without parental consent.

24. **The Committee recommends that the State party:**

(a) Raise the minimum age for marriage to 18 for both boys and girls; and develop sensitization programmes involving community leaders and society at large, including children themselves, to curb the practice of early marriage;

(b) Set a minimum and upper age limit for compulsory education;

(c) Set a minimum age of 18 years for recruitment into the armed forces, without any possibility of recruitment below that age, even with parental consent;

(d) Set a minimum age for medical counselling without parental consent, to make access to health services possible for adolescents.

D.3. General principles

Non-discrimination

25. While noting that discrimination is prohibited under the Constitution and noting that the State party has recently taken measures to increase the enrolment in schools of girls in priority education zones, the Committee is concerned at the persistence of discrimination in the State party. In particular, the Committee is concerned at the disparities in the enjoyment of rights experienced by children belonging to the most vulnerable groups (e.g. girls, children with disabilities, children born out of wedlock; children from rural areas, least developed provinces (Far-North, North and Adamawa); Pygmy children and children from other marginalized population groups.

26. **The Committee recommends that the State party:**

(a) Make greater efforts to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2;

(b) Prioritize and target social services to children belonging to the marginalized and most vulnerable groups.

27. **The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking account of General Comment No. 1 on article 29.1 of the Convention (aims of education).**

The right to life, survival and development

28. The Committee is deeply concerned at the living conditions of children detained in jails and prisons, which are so deplorable that they endanger their life.

29. **The Committee recommends that the State party take all necessary measures to ensure that detained children are provided access to health and education services and with food, and that the conditions meet the needs of the children and are compatible with the rights under the Convention.**

Respect for the views of the child

30. While noting that the much appreciated Children's Parliament serves as a forum for children to express their views, the Committee is concerned that respect for the views of the child remains limited within the family, in schools, in the courts and before administrative authorities and in the society at large owing to traditional attitudes.

31. **The Committee encourages the State party to pursue its efforts to:**

(a) Promote and facilitate within the family, in schools, in the courts, including customary courts, and in administrative bodies respect for the views of children and their participation in all matters affecting them, in accordance with their age and maturity, in the light of article 12 of the Convention;

(b) Provide educational information to, inter alia, parents, teachers, government administrative officials, the judiciary, traditional leaders and society at large on children's right to participate and to have their views taken into consideration;

(c) Establish municipal councils for children.

D.4. Civil rights and freedoms

Birth registration

32. While taking note of Ordinance No. 81/2 of 29 June 1981 which makes it an obligation to declare a birth to the registry official at the place of birth, and the designation of special registration officers, the Committee remains concerned at the large numbers of children whose birth is not being registered.

33. **In the light of article 7 of the Convention, the Committee urges the State party to increase its efforts to ensure the registration of all children at birth, including through awareness-raising campaigns, and to consider introducing mobile registration units.**

Torture and ill-treatment

34. Further to the report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment on his visit to Cameroon (E/CN.4/2000/9/Add.2) and in line with the concluding observations of the Committee against Torture (A/56/44, paras. 60-66) and of the Human Rights Committee (A/55/40, paras. 184-227), the Committee is deeply concerned that children are victims of cruel, inhuman or degrading treatment, sometimes constituting torture, committed notably at police stations, in detention places and in prisons. The Committee is also very concerned at some instances of forced disappearance and extrajudicial execution of children.

35. **In the light of the recommendations of the Committee against Torture (CAT/C/XXV/Concl.5 of 6 December 2000) and of the Human Rights Committee (CCPR/C/79/Add.116 of 4 November 1999), the Committee recommends that the State party:**

(a) Address the causes and incidence of torture and cruel, inhuman or degrading treatment of children, in order to end and prevent these violations of children's rights;

(b) Establish an independent mechanism to investigate reports of torture, forced disappearance and extrajudicial execution of children and to bring to justice the persons responsible;

(c) Adopt legislative measures for the fullest compensation and rehabilitation of child victims of torture;

(d) Establish accessible and child-sensitive structures for complaints of children; and

(e) Systematically train the police force, prison staff and the judiciary on the human rights of children.

D.5. Family environment and alternative care

Recovery of children's maintenance allowance

36. While domestic legislation includes provisions for the payment of a maintenance allowance in the case of divorce or judicial separation, the Committee is concerned at the lack of implementation of these provisions, due mainly to widespread ignorance of the law, and at the lack of legal provisions regarding maintenance for children born out of wedlock.

37. **The Committee recommends that the State party:**

(a) Make widely known, notably to women who are illiterate, the provisions of domestic legislation concerning the payment of a maintenance allowance;

(b) Ensure that professional groups dealing with this issue are adequately trained and that courts are stricter regarding the recovery of allowances from solvent parents who refuse to pay;

(c) Take measures to ensure as far as possible the maintenance of children born out of wedlock by their parents, particularly their fathers.

Children deprived of their family environment

38. The Committee is very concerned that current facilities available for the alternative care of children deprived of their family environment are insufficient and that many children do not have access to such assistance. In addition, the Committee expresses concern at the lack of appropriate training of staff and of a clear policy regarding the review of placements of children in alternative care. The Committee is also concerned that there is no legislative structure for the protection of the best interests of the child in cases of intercountry adoption.

39. **The Committee recommends that the State party:**

(a) Urgently adopt a programme to strengthen and increase alternative care opportunities for children, inter alia through the reinforcement of existing structures, the improved training of staff and the allocation of increased resources to relevant bodies;

(b) Provide for regular periodic review of the placement of children in institutions;

(c) Establish a formal procedure to guarantee the best interests of the child in cases of intercountry adoption and consider ratifying the 1993 Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption; and

(d) Seek assistance from UNICEF in this regard.

Protection from abuse and neglect

40. While noting that child abuse is a crime under article 350 of the Penal Code, and that a national study on violence and abuse against children has been launched by the Ministry of Social Affairs, the Committee is deeply concerned at the very high incidence of abuse within family and in schools in the State party and at the lack of statistical data in this regard.

41. **The Committee recommends that the State party:**

(a) Complete as soon as possible the study on violence at home and in schools undertaken by the Ministry of Social Affairs, and assess the scope, nature and causes of such violence, in order to adopt effective measures and policies, in conformity with article 19 of the Convention, and to contribute to changing attitudes;

(b) Properly investigate cases of domestic violence and violence in schools through a child-sensitive judicial procedure, and that sanctions be applied to perpetrators, due regard being given to guaranteeing the right to privacy of the child;

(c) Give appropriate weight to children's views in legal proceedings, provide support services to child witnesses in legal proceedings, and services for physical and psychological recovery and social reintegration of the victims of rape, abuse, neglect, ill-treatment, violence or exploitation, in accordance with article 39 of the Convention; and take measures to prevent the criminalization and stigmatization of victims;

(d) Seek technical assistance from, inter alia, UNICEF.

D.6. Basic health and welfare

42. While taking note of the adoption of several national programmes relating to child survival, and the establishment of a sub-department for family health within the Ministry of Public Health, the Committee is deeply concerned at the high and increasing infant and under-five mortality rates and low life expectancy in the State party. The Committee also

remains concerned that health services in the districts and local areas continue to lack adequate resources (both financial and human). In addition, the Committee is concerned that the survival and development of children in the State party continue to be threatened by early childhood diseases, such as acute respiratory infections and diarrhoea, and by chronic malnutrition. Concern is also expressed at the poor state of sanitation and at the insufficient access to safe drinking water, especially in rural communities.

43. **The Committee recommends that the State party:**

(a) Reinforce its efforts to allocate appropriate resources and develop and implement comprehensive policies and programmes to improve the health situation of children, particularly in rural areas;

(b) Facilitate greater access to primary health-care services; reduce the incidence of maternal, child and infant mortality; prevent and combat malnutrition, especially among vulnerable and disadvantaged groups of children; promote proper breastfeeding practices; and increase access to safe drinking water and sanitation;

(c) Pursue additional avenues for cooperation and assistance for child health improvement with, inter alia, WHO and UNICEF.

Adolescent health

44. The Committee is concerned that insufficient attention has been given to adolescent health issues, including developmental, mental and reproductive health concerns, and substance abuse. The Committee is also concerned at the particular situation of girls, given, for instance, the very high percentage of early marriages, which can have a negative impact on their health.

45. **The Committee recommends that the State party:**

(a) Undertake a comprehensive study to assess the nature and extent of adolescent health problems, with the full participation of adolescents, and use this study as a basis for the formulation of adolescent health policies and programmes, paying particular attention to adolescent girls;

(b) Strengthen mental health and adolescent-sensitive counselling services and make them accessible to adolescents.

HIV/AIDS

46. While noting the existence of a national AIDS prevention programme and the efforts of the State party in that respect (e.g. agreement with pharmaceutical companies to ensure cheap access to AIDS drugs), the Committee remains extremely concerned at the high and increasing prevalence of HIV/AIDS among adults and children, and the resulting number of children orphaned by HIV/AIDS. In this regard, the Committee is concerned at the lack of alternative care for these children.

47. **The Committee recommends that the State party:**

(a) Increase its efforts to prevent the spread of HIV/AIDS and take into consideration the recommendations the Committee adopted on its day of general discussion on children living in a world with HIV/AIDS (CRC/C/80, para. 243);

(b) Urgently consider ways of minimizing the impact on children of the HIV/AIDS-related deaths of parents, teachers and others, in terms of children's reduced access to a family life, to adoption, to emotional care and education;

(c) Involve children in formulating and implementing preventive policies and programmes;

(d) Seek further technical assistance from, inter alia, UNAIDS.

Traditional harmful practices

48. While noting that the prevalence of female genital mutilation is not as high in the State party as in other countries of the region, the Committee is concerned at the use of this practice in the State party and at the lack of legal prohibition or national strategy of prevention of this practice.

49. **The Committee urges the State party to adopt legislation prohibiting the practice of female genital mutilation and to implement programmes to sensitize the population about the harmful effects of this practice. The Committee recommends that the State party take advantage of the efforts in this regard made by other States in the region.**

Children with disabilities

50. Noting the current efforts by the State party (notably Act No. 83/013 of 21 July 1983 on the Protection of Disabled Persons and the Establishment of a Sub-Department for the Protection of Disabled Persons within the Ministry of Social Affairs), the Committee is concerned at the lack of statistical data on children with disabilities in the State party, at the situation of children with physical and mental disabilities and, in particular, at the limited specialized health care, education and employment possibilities available for them. The Committee is concerned further that poor health conditions and poverty are leading to an increase in the number of children with disabilities.

51. **The Committee recommends that the State party:**

(a) Ensure the use of adequate and comprehensive data in the development of policies and programmes for children with disabilities;

(b) Review the situation of these children in terms of their access to suitable health care, education services and employment opportunities;

(c) Take note of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (see CRC/C/69);

(d) Allocate adequate resources to strengthen services for children with disabilities, to support their families and for training of professionals in the field;

(e) Strengthen policies and programmes of inclusion in regular education, train teachers and make schools accessible;

(f) Carry out genetic and other studies to assess the causes of disabilities in the State party;

(g) Sensitize the population to the human rights of children with disabilities;

(h) Seek assistance from, inter alia, UNICEF and WHO.

Standard of living

52. The Committee notes the challenging socio-economic situation and the comprehensive debt reduction package recently agreed under the International Monetary Fund/World Bank enhanced heavily indebted poor countries initiative. However, it is concerned about the increasingly high number of children who do not enjoy their right to an adequate standard of living, including children belonging to poor families, AIDS orphans, street children, children living in remote rural and other under-developed areas, and children belonging to marginalized groups of the population. In addition, while taking note of the State party's intention to improve the coverage of the social security system, it joins the State party in expressing concern at the limited access to such assistance, and the need to reform the social security system.

53. **In accordance with article 27 of the Convention, the Committee recommends that the State party:**

(a) Reinforce its efforts to provide support and material assistance to economically disadvantaged families and to guarantee the right of children to an adequate standard of living;

(b) Pay particular attention to the rights and needs of children in the Poverty Reduction Strategy Paper and in all programmes intended to improve the standard of living in the country;

(c) Cooperate and coordinate its efforts with civil society and local communities;

(d) Reform the social security system, with a view to broadening its coverage after completion of the studies undertaken by the State party to this end.

D.7. Education, leisure and cultural activities

54. While noting the adoption of the Act on Education Guidelines (Act No. 98/004) and the Finance Act 2000/08, the Committee remains deeply concerned that primary education is not yet entirely free to all in the State party. The Committee is also concerned at the low education levels among children in the State party, gender, rural/urban and regional disparities in school attendance, the limited access of children with disabilities to formal or vocational educational opportunities, the number of children who are several years behind in their primary education, the high drop-out rate from school, the large number of children per classroom and the decline in the number of primary-school teachers due to the freeze on their recruitment. The Committee is also concerned at the very high prevalence of violence against, and sexual abuse of children in schools.

55. **The Committee recommends that the State party:**

(a) Urgently implement the Finance Act 2000/08 to make primary education free to all and in addition provide financial assistance for the costs of transportation, when needed, uniforms and other school materials for poor families;

(b) Raise the level of educational achievement among children through, inter alia, effectively decreasing the drop-out rate, increasing the number of classrooms and teachers, providing initial and ongoing training of teachers and school inspectors, developing standard national textbooks and increasing the rates of enrolment;

(c) Ensure that children with disabilities have access to formal and vocational educational opportunities and that girls and boys, as well as children from urban, rural and least developed areas, and from marginalized groups of the population have equal access to educational opportunities;

(d) Pursue its efforts to include "education for peace and tolerance", children's rights and other human rights subjects in the curricula of primary and secondary schools;

(e) Address education to the aims mentioned in article 29.1 of the Convention and the Committee's General Comment on the aims of education;

(f) Monitor and enforce the ban of corporal punishment in schools and train teachers in regard to alternative measures of discipline;

(g) Take measures against teachers who are violent and abusive towards students;

(h) Establish child-sensitive structures for children to make complaints;

(i) Take measures to prevent bullying and sexual abuse of students by other students;

(j) Pursue efforts for special projects of education for children belonging to marginalized groups like the Pygmies;

(k) Encourage participation of children at all levels of school life;

(l) Seek assistance from UNICEF and UNESCO.

D.8. Special protection measures

Refugee, asylum-seeking and unaccompanied children

56. The Committee, while acknowledging the efforts made to ameliorate the situation of child refugees, is concerned about the inadequate standards, procedures, policies and programmes to guarantee and protect the rights of refugee, asylum-seeking and unaccompanied children, including their registration, adequate education and other social services.

57. **The Committee recommends that the State party:**

(a) Establish a national system for determining the status of asylum-seekers, and integrate the rights of refugees into its domestic law;

(b) Urgently set up a system for the registration of refugee children;

(c) Consider ratifying the 1954 and 1961 Conventions on statelessness;

(d) Continue and expand its cooperation with international agencies such as, UNHCR and UNICEF.

Economic exploitation, including child labour

58. While noting the recent ratification by the State party (August 2001) of ILO Convention No. 138 concerning Minimum Age for Admission to Employment, the Committee is deeply concerned that child labour in the State party is extremely widespread and that children may be working long hours at young ages, which has a negative effect on their development and school attendance. The Committee is also concerned at practices of forced labour among children belonging to certain groups of the population, such as the Pygmies and the Kirdi.

59. **The Committee recommends that the State party:**

(a) Consider ratifying and implementing ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour;

(b) Adopt and implement the national plan of action to combat child labour;

(c) Strengthen the implementation of the labour laws and increase the number of labour inspectors;

(d) Continue to seek assistance from ILO with a view to participating in the International Programme on the Elimination of Child Labour (IPEC).

Sale, trafficking and abduction

60. The Committee is deeply concerned at the large number of children being sold by their parents and subsequently exploited in the labour market. The Committee is also concerned at information on alleged instances of trafficking in children for their exploitation in the State party and in neighbouring countries. The Committee is further concerned at the possible use of intercountry adoption for the purpose of trafficking.

61. **The Committee recommends that the State party:**

(a) Take measures to prevent and combat the sale and trafficking of children, including an awareness-raising campaign and educational programmes, particularly for parents;

(b) Facilitate the reunification of child victims with their families and provide adequate care and rehabilitation for them;

(c) Ratify the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Street children

62. The Committee expresses its concern at the increasing number of street children and at the lack of specific mechanisms to address this situation and to provide these children with adequate assistance.

63. **The Committee recommends that the State party:**

(a) Ensure that street children are provided with adequate nutrition, clothing, housing, health care and educational opportunities, including vocational and life-skills training, in order to support their full development;

(b) Ensure that these children are provided with: recovery and reintegration services for physical, sexual and substance abuse; protection from police brutality; and services for reconciliation with their families;

(c) Undertake a study on the causes and scope of this phenomenon and develop a comprehensive strategy to address the high and increasing numbers of street children, with the aim of preventing and reducing this phenomenon.

Commercial sexual exploitation and pornography

64. The Committee is concerned about the increasing number of child victims of commercial sexual exploitation, including prostitution and pornography, especially among those engaged in child labour and street children. Concern is also expressed at the insufficient programmes for the physical and psychological recovery and social reintegration of children victims of such abuse and exploitation.

65. **In the light of article 34 and related articles of the Convention, the Committee recommends that the State party undertake studies with a view to assessing the extent of the commercial sexual exploitation of children, including for prostitution and pornography, and implementing appropriate policies and programmes for its prevention and for the rehabilitation and recovery of child victims, in accordance with the Declaration and Agenda for Action adopted at the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996.**

Administration of juvenile justice

66. While recognizing the State party's efforts in this domain, including legislation, decrees and ministerial circulars, the Committee remains concerned at the limited progress achieved in establishing a functioning juvenile justice system throughout the country. In particular, the Committee is concerned at the absence of juvenile courts and juvenile judges, and the lack of social workers and teachers to work in this field. In addition, the Committee is deeply concerned at the poor conditions of detention, due notably to overcrowding in detention and prison facilities, overuse and long periods of pre-trial detention, the length of time before the hearing of juvenile cases, the absence of assistance towards the rehabilitation and reintegration of juveniles following judicial proceedings, and the sporadic training of judges, prosecutors and prison staff. Noting that there are no criminal penalties for children below the age of 14 years, the Committee is still concerned that the minimum age for criminal responsibility is too low (10 years).

67. **The Committee recommends that the State party take additional steps to reform the system of juvenile justice in the spirit of the Convention, in particular articles 37, 40 and 39, and other United Nations standards in the field of juvenile justice, including the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System.**

68. **In addition, the Committee recommends that the State party:**

(a) Raise the age of criminal responsibility;

(b) Undertake all necessary measures to ensure the establishment of juvenile courts and the appointment of trained juvenile judges in all regions of the country;

(c) Consider deprivation of liberty only as a measure of last resort and for the shortest possible period and limit by law the length of pre-trial detention;

(d) Provide children with legal assistance at an early stage of the proceedings;

(e) Protect the rights of children deprived of their liberty and improve their conditions of detention and imprisonment, including through addressing the problem of overcrowding in prisons and establishing special prisons for children with conditions suited to their age and needs, and in the meantime guarantee the separation of children from adults in prisons and places of pre-trial detention throughout the country;

(f) Ensure that children in conflict with the law do not receive the same sanctions as adults;

(g) Ensure that children remain in regular contact with their families while in the juvenile justice system;

(h) Introduce regular medical examination of inmates by independent medical staff;

(i) Establish an independent child-sensitive and accessible system for complaints for children;

(j) Introduce training programmes on relevant international standards for all professionals involved with the system of juvenile justice;

(k) Make every effort to establish a programme of rehabilitation and reintegration of juveniles following judicial proceedings; and

(l) Request technical assistance in the area of juvenile justice and police training from, inter alia, the Office of the High Commissioner for Human Rights, the United Nations Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF through the United Nations Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

Minorities

69. The Committee is deeply concerned about the poor situation of Pygmy children and children of similar marginalized groups, and at the lack of respect for almost all of their rights, including the rights to health care, to education, to survival and development, to enjoy their own culture and to be protected from discrimination. The Committee is also concerned at the displacement of Pygmy families, including children, as a result of logging policies.

70. **The Committee urges the State party urgently to gather additional information on the Pygmies and other marginalized groups of the population, and to elaborate a plan of action to protect their rights.**

D.9. Optional Protocols to the Convention on the Rights of the Child and acceptance of the amendment to article 43.2 of the Convention

71. The Committee notes that the State party has not ratified the two Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict. The Committee welcomes the fact that the State party has recently accepted the amendment to article 43.2 of the Convention on the Rights of the Child concerning the expansion of the Committee from 10 to 18 members.

72. **The Committee encourages the State party to ratify and implement the two Optional Protocols to the Convention on the Rights of the Child.**

D.10. Dissemination of documents from the reporting process

73. **Finally, the Committee recommends that, in the light of article 44, paragraph 6, of the Convention, the initial report and written replies presented by the State party be made widely available to the public at large and that publication of the report be considered, along with the relevant summary records and the concluding observations adopted thereon by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government and the general public, including NGOs.**